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The Politics of Memory in Post-Conflict Northern Ireland

Patricia Lundy and Mark McGovern

During the last decade the emergence of numerous “peace processes” to resolve longstanding conflicts in many parts of the world has opened a debate on how, in the period of “post-conflict transitions,” societies might best confront a violent and traumatic past. Certain models for dealing with such dilemmas have come to the fore and none more so than that of a “truth commission.” While differing significantly, truth commissions have been regarded as a key mechanism for coping with the memory of conflict and victimhood in situations as diverse as South Africa, Guatemala and Argentina.

The various forms truth commissions have taken have resulted from a balancing act between truth telling and justice. How to master this particular (and often unattractive) feat of political and moral acrobatics has become a real issue for many. Indeed, the experience of truth commissions in one place has often directly affected the attitude adopted to them elsewhere, particularly by political and human rights activists. This is a learning curve worldwide and one in which communities, groups and individuals in the North of Ireland are now sharing.

Ireland has, of course, had its own “peace process,” which defined political life on the island for much of the 1990s. From the declaration of the IRA ceasefire in August 1994 up to the ratification of the Good Friday Agreement in 1998, Irish society (and particularly that in the North) has gone through often gradual but nevertheless epochal change. As part of that process, and in its wake, there has been a period of reflection and reassessment as people have tried to come to terms with what the war was about. During three decades of conflict over 3,500 people lost their lives and over 30,000 were injured. The trauma and sense of loss produced by so many deaths, injuries and the various other costs of the conflict have produced a growing focus on how to deal with the legacy of the past.

This has precipitated public debate over numerous issues, such as the early release of prisoners, equality, policing, the “decommissioning” of weapons and the plight of victims and their relatives. For the latter, debate has focused on what the best mechanism might be, in the specific context of the North, to afford victims and relatives appropriate space in the public sphere for them (and the wider society) to achieve some sort of resolution. This has led to introspective

dialogue in the public and private sphere, over whether or not the past should be remembered or investigated, and the appropriate mechanisms for doing so. These are highly contentious issues in what is essentially unexplored terrain in Northern Irish politics. Perhaps most problematic is the way in which victims of state violence are to be remembered.

A key contention for many Nationalists is the British state's role in the conflict and the memory of the victims of state violence. The state was directly responsible for over 10% of all the deaths during the conflict. In addition there are allegations of collusion with Loyalist paramilitary groups in numerous other cases. However, there have been very few prosecutions of state killings and in the mere handful of cases of prosecution, conviction was invariably followed by release within two to three years and reinstatement in the army. This has occurred even though the vast majority of state victims were unarmed. Overwhelmingly such victims came from Nationalist working-class communities and for people in these areas they have become the "forgotten victims."

The role and culpability of the British state in the conflict is frequently omitted from public discourse on the past. In this sense, the manner in which the conflict is "remembered and forgotten" has emerged as a key area for the ideological contest for power in the period of the post-conflict transition. The "two traditions" model of conflict management which shaped the Irish peace process diminished (to the point of disappearance) the state's role as an active and violent agent in the conflict. This therefore must be seen as part of a struggle to possess "social memory." Uncovering the past is invariably linked to present social and political interests and the pace being set by the state-sponsored "victim agenda" may be seen as a subtle (and sometimes not so subtle) component in a project of "organized forgetting" that will ensure a continuity of state power.

But memory and forgetting are not only sites of state control and efforts to disempower, they are also an arena of struggle and resistance. Officially sanctioned memories and voices can be contested from within civil society, and these challenges can help define and redefine the profile of who gets to be heard and what is remembered. In the period of post-conflict transition in the North of Ireland this social action has emerged largely through a variety of victim and justice organizations, oral history groups and community-initiated memory projects that, taken together, bear many of the hallmarks of a social movement. Such organizations have played an important role in the arena of "memory politics" as people begin to grapple with the memory of the past at a personal, community and national level. What they have to say represents a counter-discourse of the marginalized that is forcing issues of truth, justice and disclosure onto the political agenda. We must more closely examine the work of such groups, and their relationship to the debate on what form truth telling and justice should take in the future.

The work of truth and justice campaigners on the issue of state violence must, in the first place, be put in the context of the state's own "victims agenda," which was, in turn, defined by the overall political settlement reached in the Good Friday Agreement. The Agreement included a series of measures that, on the face of it, appeared to address many controversial issues and to help facilitate

real social change. These included the setting up of cross-community structures of government, the recognition of a role for all-island decision-making institutions, the implementation of a Bill of Rights, and the establishment of a Human Rights Commission and of an Equality Commission. On the highly sensitive issues of policing and criminal justice, agreement was reached on setting up independent commissions (that is, the Patten Commissions and Criminal Justice Review) to facilitate reform. A commitment was also made to an accelerated prisoner release program, which sparked fierce controversy and which attempts to link decommissioning to prisoner releases.

The prisoners release program also stimulated an already vibrant debate on the issue of victims, with which it was often linked. The British Secretary of State had already established a Victims Commission in October 1997, which appointed Sir Kenneth Bloomfield at its head. Following the publication of the "Bloomfield Report" in late 1998 a Victims Liaison Unit was set up and Adam Ingram was appointed as the Minister for Victims. Through this framework the government has pursued its response to the victims issue.

In themselves, many Nationalists regarded the appointments of both Sir Kenneth Bloomfield and Adam Ingram to their respective positions as particularly insensitive. The former had been a long-serving senior civil servant in the Northern Ireland Office whilst the latter was also in post as the Minister for Armed Forces. With such backgrounds both were seen as lacking impartiality and as unlikely to be neutral custodians of the needs of all victims of the conflict. The Bloomfield Report was also criticized for having established an exclusive and hierarchical tone to the victims' agenda, with an implicit suggestion that there were more deserving and less (if not un-) deserving victims. The "undeserving" victims were inevitably Nationalist/Republicans killed by British security forces. Whilst Bloomfield suggested that there should be no such thing as "guilt by association," many of those involved with the relatives of victims of state violence have argued that that is precisely the perception that was fostered. The sense has been that although the Good Friday Agreement was supposed to herald a new era of equality, the Bloomfield Report sowed anew the old seeds of ostracism.

This has formed part of a wider, disheartening story for Nationalists. The prospects of significant reform of policing suggested by the Patten Report look increasingly bleak. The initial goodwill extended to the new Human Rights Commission, too, appears to be evaporating within Nationalist circles as its limited budget and insufficient investigation powers and uncertainty over its independence become evident. At a more fundamental level, there appears to be a reticence by the British state to acknowledge its role in the conflict. For Nationalists, this is a highly unsatisfactory situation. Lack of progress on aspects of the Agreement, which were regarded by many as compromises in the first place, has led to growing discontent and a feeling that a real break with the past has yet to be made.

Official initiatives aimed at dealing with the past can include truth commissions, amnesty dispensations, criminal investigations and prosecutions, public inquiries and a range of institutional reforms aimed at redressing the previous failure of the state to guarantee human rights. Truth commissions have become common features, with some 15 being established since 1974. There are

numerous arguments in support of establishing such mechanisms and the more general need for a process of social remembrance. Truth recovery processes can provide a mechanism for victims to air their pain, provide official acknowledgement of a long-silenced past, promote reconciliation, outline needed reforms and reduce the likelihood of such atrocities being repeated in the future. The problem remains, however, that a commission, as a particular form of truth telling, may prove unsatisfactory, if not wholly illusory, in helping to achieve the goals of peace, reconciliation, healing and reform.

Certainly in the North of Ireland one of the main contributions a commission could make would be to document the history of the conflict by an independent body with access to all the necessary records. Truth commissions (or “clarification of history commissions”) focus on the large patterns of overall events and the various political or social factors that led to the violence. By facilitating the telling of personal stories and investigating the causes of the conflict, a commission might help uncover existing facts about past human rights abuses. Establishing an honest account of the conflict prevents history from being lost or rewritten, and opens the possibility for a society to learn from its past. In addition, the public recognition of loss and abuse can provide a cathartic experience for many victims’ families and survivors. Official acknowledgement of past misdeeds through a commission report could play an important psychological as well as a political role by recognizing a truth that has long been denied. Arguably, “reconciliation” is impossible in the absence of such a truth-telling process when a section of the population can continue to deny that the state ever acted wrongly whilst another section feels their suffering has never been acknowledged.

On the other hand, there are powerful arguments that a truth commission may not be the most appropriate mechanism for truth recovery and justice in the Irish context. First, there is the specific political context that currently exists. The political settlement arrived at in the North of Ireland has not seen a wholesale break with pre-existing structures of power and authority. Whilst there has been significant progress in relation to certain high-profile cases (that of Bloody Sunday being the most obvious) the need of the British state to preserve the “legitimacy” of its institutions into the future makes it highly unlikely that it would be willing to countenance a wholesale inquiry into the past actions of its agents and functionaries. In addition, none of the participating parties in the Good Friday Agreement pressed for a truth commission to be included in the negotiations. In essence, establishing truth was regarded as a potentially destabilizing factor that could raise tensions and derail the peace process itself. In the interest of peace, it might be argued, truth and justice were compromised. This does not augur well for the prospects of any truth commission that this process might eventually instigate.

Second, there are problems intrinsic to the institutional mechanisms of truth commissions themselves. International models, designed for specific countries and circumstances, may not always suit other conflict situations. There is also disagreement as to whether truth commissions always help promote national reconciliation. In addition, uncovering the past can prove to be more psycholog-

ically damaging than healing, particularly if justice is sacrificed too obviously on the altar of truth. Granting amnesty to perpetrators of human rights violations can be a trade-off that prevents real healing from taking place at all, as the South African case would seem to suggest, leading only to further bitterness for survivors and relatives of victims. Amnesty can also offset the goal of deterring future human rights violations.

By raising expectations, truth commissions may, too, have a negative effect if they are unable to deliver on their initial promise. Governments have also been known to employ such devices as a form of window dressing, projecting a false image of their supposed concern for the rights of their citizenry. All in all there remain real questions over the benefits and long-term consequences that truth commissions might have, particularly when, as has too often appeared the case, such mechanisms restructure memory and use their own voice to privilege certain voices while silencing others.

Certainly in the North of Ireland there is no consensus about commissioning the truth, even among the families of victims of state violence who have expressed widely differing views on this issue. Some relatives adamantly oppose retribution. Truth is regarded as itself a form of justice and a truth commission is viewed as the only pragmatic course to take. Others regard truth without justice as an unacceptable compromise. However, what is apparent is that many families have a deep and fundamental need to know the truth surrounding the death of their loved one. Uncovering the truth and having the state publicly acknowledge wrongdoing are seen as essential to the healing process for many victims' families. But the fundamental problem remains, where there has been no radical change in government how can the state be persuaded to tell the truth?

Within this context, groups and organizations operating within civil society, rather than through state-sponsored structures and institutions, have taken up the challenge of truth telling by establishing unofficial mechanisms through which to confront the past. Prior to the 1994 ceasefire a few campaign groups and relatives organizations were set up with the express purpose of seeking the truth in cases of state violence and collusion. Since the mid 1990s such bodies have proliferated. The path first trod by the Bloody Sunday families has since been followed by those of Pat Finucane, Rosemary Nelson, Robert Hamill and relatives of the victims of the Dublin and Monaghan car bombings of 1974, to name only the most high-profile cases.

Several local, often family-led, campaign groups have worked tirelessly for years to establish the truth about the deaths of their loved ones, including the killings of Kevin McGovern, Peter McBride and Carol Ann Kelly. Increasingly in recent years people in Nationalist and Republican communities have come together often (but by no means always) in cooperation with longer-established victims relatives campaign bodies (such as the United Campaign against Plastic Bullets and Relatives for Justice). All share the common goal of telling their stories publicly and having the events that killed their loved ones remembered, if not, indeed, investigated again. The groups mentioned represent the tip of a large iceberg that has grown dramatically in the period of post-conflict transition.

Various new grassroots groups, campaigns and projects have recently been set up, holding well-supported community meetings and events designed to highlight issues of state violence and ways of achieving truth and justice. In September

1999, for example, a community inquiry was held in the Nationalist enclave area of Ardoyne in north Belfast into the killing of Sam McLarnon by the Royal Ulster Constabulary (RUC) in August 1969, one of the first victims of the conflict. Since then, this initiative has helped establish a locally based campaign group, set up in the area by the relatives of a number of victims of state violence, looking to campaign for truth in all of their cases.

Links with other groups are being established, experiences exchanged, knowledge shared, aims and objectives clarified, and campaign work undertaken. It is a story that could be repeated over and over again in Nationalist working-class communities throughout the North. As elsewhere and for others the space created by the ceasefires and the peace process allows these families to embark on a journey, to make sense out of the past through the social construction of a memory, and to insist that they are no longer objects but rather subjects who can speak for themselves rather than merely being spoken of.

The momentum behind this popular mobilization for truth and justice has arisen organically from the bottom up. Most if not all of the groups have no affiliation with any political party. In this sense, memory politics has emerged as an important arena of popular action, struggle, resistance and support in the North of Ireland today. The work of such groups has been diverse. The non-state-sanctioned avenues they have pursued include legal action, informal inquiries, commemorative acts, testimonial work, and memory recovery initiatives.

In the absence of a meaningful truth commission, and in a context of ongoing distrust of state agencies, a series of inquiries and legal actions into controversial cases may be the appropriate way to deal with the past. Most relatives have no illusions that legal action will receive a positive response from the judiciary. Taking legal action can be costly and time consuming, and Public Immunity Certificates are frequently issued for officials on the grounds of national security, thus making it difficult to secure evidence for convictions. At the very least, however, this allows people to raise public awareness about the circumstances surrounding their case. Based locally, operating with civil society, cooperating with national and international non-governmental and human rights organizations, such groups, through advocacy, persistent lobbying and by pursuing available avenues of legal redress, are at the forefront of a challenge to the selective amnesia of the state.

In doing so, such truth and justice groups are being joined by other organizations whose interests have less to do with the plight of particular victims and their families and more to do with challenging perceptions of the past. This makes them close allies in the battleground of memory work. The last few years has also produced a ground swell of community-based groups and projects that have raised the question of state-sanctioned forgetting through oral history and commemoration projects. They share the demand for society not to forget and aim to preserve communal collective memories of the conflict, struggle and resistance as a counterweight to official histories in the future.

The collective memory recovery work being undertaken by groups like the Ardoyne Commemoration Project, the Ballymurphy Women's Group, the

Duchas project in west Belfast and Coiste na n-Iarchimi (Committee for Republican Ex-prisoners) bears a strong resemblance to that of organizations such as the Recovery of Historical Memory project (REMHI) in Guatemala and other “never again” projects initiated by civil society in Latin America. Like the truth and justice groups with whom such memory projects share a loose and as yet barely formed common purpose, the demand for truth is therefore emerging as a key act of political struggle in an era of post-conflict transition.

Such voices are becoming steadily louder and better heard; their discourse on truth and justice has come to occupy a more significant position in the public space than before. These processes are also creating awareness and politicizing individuals and groups within Nationalist communities. In essence a social movement for truth and justice is evolving in the North of Ireland. Until now many individuals and families have struggled privately and in silence with the unresolved issues surrounding the death of a loved one. For these families both the Bloomfield Report and the Victims Liaison Unit have continued a longstanding practice of marginalizing their experiences, their status as victims, and their memories. The growth of the sort of social action described above responds, at least in part, to the “state-sanctioned discourse of forgetting” explicit in the Bloomfield Report and which underpins the state’s victims agenda. In the absence of a genuinely challenging truth commission, this may be the only way the relatives of the victims of state violence and the British state can come face to face with the uncomfortable truths of a most dirty war.

RECOMMENDED READINGS

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